

May 27, 1927

Mr. Soren Anderson,  
Huntington, Utah.

Dear Sir;

RE: MUDDY RIVER DIST.

A few days ago a petition was filed in this office alleging waste in the distribution of waters of the Muddy River and asking for the appointment of a water commissioner. Mr. Jerman, of this office, made a field examination and I find conditions warrent the appointment of a commissioner.

As I understand the situation is acute, and as it will take some days to comply with the formalities required before the appointment of a commissioner, I am writing to ask you if you will please go over to the Muddy as my personal representative, investigate the situation and as representative of the State Engineer give such orders and take such steps as will temporarily aid in correcting the conditions.

In an old decree the Emery County Canal & Reservoir Company is entitled to 15/16 of the flow of the river and the Independence Canal & Reservoir Company 1/16 as long as the flow in the river is less than 94 sec. feet. There is also a certificate right of the Independence Canal & Reservoir Company covering 50 sec. feet.

It is my understanding that the Emery Company has no occasion at present to use their full right but that they are diverting all of it under a misunderstanding that this is necessary to preserve such right. What I wish you to do is to see how much water is needed for their crops and have any balance turned on down to satisfy the 1/16 right that the Independence people have decreed and the further balance to go to the application right of 50 sec. feet.

I will appreciate it very much if you can take care of this at once. My information is that if you get in touch with the officers of both companies you will find them willing to co-operate. You will be allowed compensation of \$8.00 per day for this work and also your proper travelling expenses if you can go immediately. Please reply by return mail.

Yours very truly,

State Engineer.